

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

MICHAEL POSTAWKO, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 16-CV-4219-NKL
)	
MISSOURI DEPARTMENT OF)	
CORRECTIONS, et al.,)	
)	
Defendants.)	

MOTION TO DISMISS INDIVIDUAL DEFENDANTS

Pursuant to Federal Rule of Civil Procedure 41(a)(2), Plaintiffs move to voluntarily dismiss from this case the all defendants named in their individual capacities only. In support, Plaintiffs state:

1. In addition to the Missouri Department of Correction, Corizon, and Anne Precythe in her official capacity, the second amended complaint, ECF No. 30, names the following persons in their individual capacity: Dr. Trinidad Aguilera, Dr. John Williams, Dr. Ruanne Stamps, Dr. Thomas Pryor, Dr. Ronald Proctor, Dr. Rex Hardman, Laurel Davison, Danette Steiferman, Dr. Thomas Bredeman, Julie Fipps, Jewel Cofied, Jamie Donnelly (f/k/a Jamie Campbell), Dawn Baker, Dr. Paul Jones, Georgann Rucker, Geeneen Wilhite, Bonnie Boley, Julie Crego, Amanda Yates, and Adrienne Hardy.
2. Plaintiffs wish to voluntarily dismiss without prejudice their claims against the defendants named in their individual capacities only because initial discovery demonstrates that Plaintiffs' injuries are the result of the customs and policies of the remaining defendants.

3. No dispositive motions are pending or anticipated to be filed soon.
4. There would be no prejudice to any defendant by the granting of this motion.

WHEREFORE Plaintiffs request this Court dismiss the claims against Dr. Trinidad Aguilera, Dr. John Williams, Dr. Ruanne Stamps, Dr. Thomas Pryor, Dr. Ronald Proctor, Dr. Rex Hardman, Laurel Davison, Danette Steiferman, Dr. Thomas Bredeman, Julie Fipps, Jewel Cofied, Jamie Donnelly (f/k/a Jamie Campbell), Dawn Baker, Dr. Paul Jones, Georgann Rucker, Geeneen Wilhite, Bonnie Boley, Julie Crego, Amanda Yates, and Adrienne Hardy without prejudice.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was filed electronically and served by operation of the CM/ECF system on all counsel of record on June 13, 2019.

/s/ Anthony E. Rothert